

0016



PO Box 310
Huntington, Utah 84528

OK
Incoming
C0150018 / 2561
cc: cover letter to
C0150009
C0150017
✓ C0150019

June 16, 2006

Utah Coal Program
Utah Division of Oil, Gas, and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Re: Response to Deficiencies from Division on the Legal and Financial Information, for the Cottonwood/Wilberg Mine, C/015/019, Deer Creek Mine, C/015/018, and Des Bee Dove Mine C/015/017, and Trail Mountain Mine C/015/009, Emery County, Utah, Task #2477.

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits updated information for the supplemental volume entitled "Supplemental Volume, Legal and Financial Information". This information is in response to the deficiencies that were received from the Division May 22, 2006 (Task ID# 2466). The deficiencies were the result of the March 2006 submittal of BLM lease relinquishment decision documents for the Supplemental Volume 1 - Phase I, II, and III Lease Relinquishment Information. As the deficiencies only required updating lease information in Appendix C of the Legal and Financial Volume, the entire volume needed updated to reflect current information.

The Legal and Financial Volume include revisions to the Deer Creek and Cottonwood legal information:

- Text Section, entire section
- Appendix A, Officer and Director lists
- Appendix C, Underground Right of Entry Information
- Appendix E, Certificates of Liability
- Appendix F, Proof of Publication
- Appendix G, Permit Boundary Description

Cottonwood Mining and Reclamation Plan - Volume 3
Plate 1-1, Coal Lease and Ownership Map
Plate 1-2, Surface Ownership Map

Deer Creek Mining and Reclamation Plan - Volume 4

Plate 1-1, Coal Lease and Ownership Map
Plate 1-2, Surface Ownership Map

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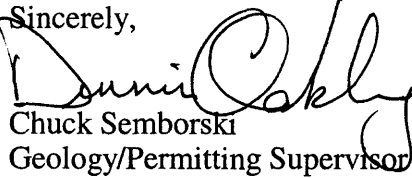
DIV. OF OIL, GAS & MINING

Huntington Office:
(435) 687-9821
Fax (435) 687-2695
Purchasing Fax (435) 687-9092

Deer Creek Mine:
(435) 687-2317
Fax (435) 687-2285

Included with this submittal are seven (7) complete copies for Division review. One (1) hard copy and a CD has been included for map review. C1/C2 forms are also included. If there are any questions or concerns regarding the submitted information, please feel free to contact myself at (435) 687-4720 or Dennis Oakley at (435) 687-4825.

Sincerely,


Chuck Semborski
Geology/Permitting Supervisor

cc Doug Johnson (EWMC)
Scott Child (IMC)
File

Attachment: C1/C2 Forms
Deficiency Responses
Supplemental Volume, Legal and Financial Information
Text Section, entire section
Appendix A, Officer and Director lists
Appendix C, Underground Right of Entry Information
Appendix E, Certificates of Liability
Appendix F, Proof of Publication
Appendix G, Permit Boundary Description
Cottonwood Permit, Volume 3, Plate 1-1, Coal Ownership, Plate 1-2, Surface Ownership
Deer Creek Permit, Volume 4, Plate 1-1, Coal Ownership, Plate 1-2, Surface Ownership

The following responses to deficiencies are formatted as found in the technical analysis document. They are broken down into logical section headings similar to the R645 regulations. In each section, the regulation number along with the associated deficiency is followed by the Permittee's italicized response.

R645-301-124.300, Because lease relinquishment information is not confidential, please revise the first statement of the last paragraph on page 1-12 of the Legal and Financial Volume, concerning the location of lease relinquishment information. A better placement for this information is in Appendix C of the Legal and Financial volume (another volume common to PacifiCorp mines) that contains detailed coal-lease information that is affected by these lease relinquishments.

The cited information for partial lease relinquishment is not contained in a confidential. Supplemental Volume 1 is a volume set apart from the MRP that shows the historical status of the lease. It also contains subsidence and drill hole information, as well as, informational assessments of the hydrological and biological systems of the land in which the lease sits. The Permittee suggests the paragraph under the Section heading of "Miscellaneous" remain unchanged.

R645-301-114, The Permittee needs to update the relinquished acreage in Underground Right-of-Entry Information with Cited Surface and Subsurface Ownership chart of Appendix C in the Legal and Financial Volume to agree with the March 2006 BLM documents.

The Right of Entry information in Appendix C of the Legal and Financial Volume has been updated to agree with the March 2006 BLM documents. Included with this submittal are seven copies for Division review.

R645-301-121.200, The Permittee needs to reconcile the acreage figures for lease U-1358 in Appendix C of the Legal and Financial Volume with information in the BLM lease relinquishment documents. i.e. 40 acres relinquished, 120 acres active right of way.

The noted lease, as well as other leases which PacifiCorp obtained partial relinquishment has been reconciled and show the current lease rights of way and the historical partial relinquishment of each lease. Partial relinquishment was obtained for coal leases SL-070645, U-002292, UTU-084923, UTU-084924, UTU-1358, UTU-040151, and UTU-083066. Included with this submittal are seven copies of the revised Legal and Financial Volume for Division review.

R645-301-521.131, Vol. 4, Plate 1-1 needs to be updated to show all lease relinquishments; however, all relinquished lands remain subject to SMCRA requirements and therefore should not be removed from within the permit area.

Plates 1-1 (Coal Lease and Ownership Map) and Plate 1-2 (Surface Ownership Map) in Volume 4 of the Deer Creek Mining and Reclamation Plan, and Volume 3 of the Cottonwood Mining and Reclamation Plan have been revised to show the current lease holdings and permit boundaries.

As leases are relinquished, the Permittee does not have right of entry into the lease. Therefore, these areas have been removed from the permit boundary of each of the noted Mining and Reclamation Permits.

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: PacifiCorp

Mine: Cottonwood, Deer Creek, Des Bee Dove, Trail Mountain Mines Permit Number: C/015/019, et al

Title: Response to Deficiencies from Division on the Legal and Financial Information, Task ID #2047

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☒ Yes ☐ No 1. Change in the size of the Permit Area? Acres: CTW 600.68 - DC 2051.49 ☐ increase ☒ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☒ Yes ☐ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
- Explain: _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☐ Yes ☒ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

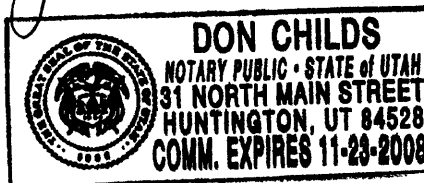
60r Charles A. Semborski Dennis Oakley Dennis Oakley Environmental Engineer
Print Name Sign Name, Position, Date 6/16/06
Geology/Permitting Supervisor

Subscribed and sworn to before me this 16th day of JUNE, 2006

[Signature]
Notary Public

My commission Expires: 11/23, 2008

Attest: State of UTAH } ss:
County of EMERY



For Office Use Only:

Assigned Tracking
Number:

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APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: PacifiCorp

Mine: Cottonwood, Deer Creek, Des Bee Dove, Trail Mountain Mines

Permit Number: C/015/019, et al

Title: Response to Deficiencies from Division on the Legal and Financial Information, Task ID #2477

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

Supplemental Volume, Legal and Financial Volume, Text Section R645-301-100, General Contents (Entire Section)

☐ Add ☒ Replace ☐ Remove

Supplemental Volume, Legal and Financial Volume, Appendix A (Entire Appendix)

☐ Add ☒ Replace ☐ Remove

Supplemental Volume, Legal and Financial Volume, Appendix C (Deer Creek, Cottonwood)

☐ Add ☒ Replace ☐ Remove

Supplemental Volume, Legal and Financial Volume, Appendix E (Entire Appendix)

☐ Add ☒ Replace ☐ Remove

Supplemental Volume, Legal and Financial Volume, Appendix F (Deer Creek)

☐ Add ☒ Replace ☐ Remove

Supplemental Volume, Legal and Financial Volume, Appendix G (Deer Creek, Cottonwood)

☐ Add ☒ Replace ☐ Remove☐ Add ☐ Replace ☐ Remove

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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